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OFFICE OF PETITIONS

In re Application of :
Robert Torres, Thomas Fletcher, :
Robert Aryee and Mangala Kannan : DECISION ACCORDING STATUS
Application No. 10/684,914 : UNDER 37 CFR 1.47(a)
Filed: October 14, 2003 :
Attorney Docket No. PD-202132 :
Title: METHOD AND SYSTEM FOR :
MULTICAST IN A BROADBAND SATELLITE :
SYSTEM :

This is a decision on the "PETITION UNDER 37 CFR § 1.47(a)," filed March 17, 2004 (certificate of mailing March 16, 2004).

The petition is GRANTED.

The above-identified application was filed on October 14, 2003, without an unexecuted declaration. Robert Torres, Thomas Fletcher, Robert Aryee and Mangala Kannan were named as joint inventors. Accordingly, on January 16, 2004, a "Notice to File Missing Parts of Nonprovisional Application" was mailed, requiring an executed oath or declaration and a surcharge for its late filing.

In response, rule 47 applicants timely filed the instant petition (and fee); the late surcharge; and a declaration executed by inventors Torres, Aryee and Kannan on behalf of themselves and on behalf of non-signing joint inventor Fletcher. Rule 47 applicants maintain that status under 37 CFR 1.47 is proper because joint inventor Fletcher has by his conduct in not responding refused to join in the application for patent.

By declaration of facts of Craig Plastrik, with supporting documentary evidence, petitioner has shown that the application papers were presented to inventor Fletcher. However, by his conduct in not responding to the presentation of the application papers and request to sign the declaration, inventor Fletcher has refused to join in the application. The petition includes the last known address of inventor Fletcher.

The declaration filed March 17, 2004, and the petition have been reviewed and found in compliance with 37 CFR 1.47(a).

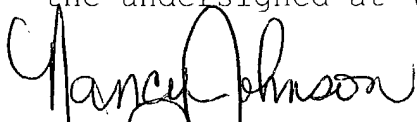
This application is hereby accorded Rule 1.47(a) status.

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As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application will be examined in Technology Center 2681 in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0309.

A handwritten signature in cursive script, appearing to read "Nancy Johnson".

Nancy Johnson
Senior Petitions Attorney
Office of Petitions